



27th PERIOD OF SESSIONS OF THE COUNCIL OF THE INTERNATIONAL SEABED AUTHORITY. THIRD PART

DECLARATION BY THE DELEGATION OF THE KINGDOM OF SPAIN.

Permanent Representative Diego Bermejo Romero de Terreros

**Item 14. Report and Recommendations of the Legal and Technical Commission**

Mr. President,

I take the floor, on behalf of my delegation, to express our gratitude to the members of the Legal and Technical Commission for the excellent work they have been carrying out in the performance of their duties.

This technical body of the Council, to which the Convention and the Agreement have attributed especially relevant functions, has become an essential body of the Authority, of which more and more is being demanded.

Let us remember that its members are experts to whom have been added an enormous amount of work to their usual tasks as professionals in their countries. It takes only a look at the exploitation regulation draft to see that, in the future, its relevance and responsibility will be even greater.

Without forgetting, of course, the support of the members of the Secretariat whose work is equally commendable.

We welcome the presentation of the *Guidelines to facilitate the development of regional environmental management plans in the Area*, including a model with indicative elements, as requested by the Council in its decision ISBA/26/C/10.

There is consensus among the members of the Council that the REMP must be established prior to the start of exploitation activities, being as it is an essential tool to effectively protect the marine environment, in accordance with article 145 and the precautionary approach.

The report presented to us by the Commission, together with the Guidelines, is detailed and provides a much-needed retrospective to understand the complex process of drafting REMPs.



It is appreciated, *moreso*, because it makes it possible to become aware of the amount of work and effort they require, but, above all, the importance of scientific cooperation between the different stakeholders. The REPM development process should be an example of inclusive and collaborative work.

Paragraph 9 refers to an issue that should be given special attention. It is said that the Commission, with the assistance of the secretariat must facilitate the collection, analysis and synthesis of available data and information, including contractor data and information submitted to the Authority that are not considered confidential.

We believe that a way must be found to make environmental data easily accessible to the scientific community and the general public. This issue continues to be of concern to interested parties.

For this reason, we consider important that which is indicated in paragraph 10, that the available data and information be disseminated through regional environmental assessment and the data report and that both documents be available on the Authority's website.

We must also pay special attention to that which is indicated in paragraph 15 in which the Commission itself should identify the main difficulties in preparing the plans, mainly the availability of environmental data and the availability of budget resources.

Mr. President,

Esteemed delegates and representatives of the interested parties, allow me to convey to you some considerations:

We have, first of all, a question regarding the organization of scientific workshops to bring together experts, which may be formulated as a possibility. In our opinion, it should be the general rule, so that, as we said before, the process is as inclusive as possible.

Secondly, regarding the policy workshops, we welcome the inclusion of relevant international and regional organizations; we are thinking, for example, of the Regional Fisheries Management Organizations (RFMOs).

Thirdly, regarding stakeholder consultations, whose responses will be posted on the website, we are concerned that 45 days is not enough time to analyze all the available information. It would be desirable to extend it to 90 days as indicated in the proposal by Germany and the Netherlands, supported by Costa Rica.



We insist that these processes must be transparent, collaborative and inclusive, allowing the greatest possible participation of the interested parties.

To conclude, Mr. Chairman, we would like to mention that my delegation supported the two proposals presented by Germany and the Netherlands, with the support of Costa Rica, which have been taken into account by the Commission, although not in their entirety.

We understand that the Commission has tried to simplify and avoid overlaps and we believe that the general Model that appears in the appendix to the report is clear and easy to apply.

However, we are missing relevant aspects, some of which have already been indicated by other delegations. In particular, what was said in paragraph 14 of the proposal from Germany and the Netherlands that justified a standardized approach, because “Many problems related to environmental management, such as the specific aspects of a region, the maximum capacity of this, the cumulative effects of multiple harvesting operations, and conflicts between harvesting and other marine uses, can only be addressed at the regional level.”

It was also indicated as one of the Goals of the plans: “Identify and mitigate conflicts between the different uses by avoiding overlapping between contract areas, reserved areas, areas of special environmental interest, marine protected areas and areas designated for other legitimate uses. (such as fishing or underwater cables)”.

As we have said on several occasions, for Spain it is essential to guarantee all uses of the seas and oceans in a balanced way, according to the legal regime provided for in the Convention and in its application Agreements. In particular, we are well aware of the possible impact of deep sea mining on the protection of fishery resources.

We assume that these aspects will be taken into account in section VIII on Management measures, but we would like it to be mentioned expressly.

Thank you very much, Mr. President.